

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION**

**LARRY JEROME KEITH,**

**Plaintiff,**

**vs.**

**LT. RODNEY WHITEHEAD, et al.,**

**Defendants.**

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**5:04-CV-143 (DF)**

**ORDER**

This order is in reference to the Report and Recommendation that United States Magistrate Judge Claude W. Hicks, Jr. filed in this § 1983 case on October 25, 2005 (Recomm., doc. 57). The report recommended that the Court grant Defendants' Motions for Summary Judgment (doc.'s 36, 49). Defendants Gene Pope, Lt. Rodney Whitehead and Linda Faulkner filed for summary judgment alleging there was no genuine issue of material fact as to Plaintiff's deliberate-indifference claim. The Court has reviewed and carefully considered Plaintiff's objections to the Magistrate Judge's Recommendation (doc.'s 59, 63), as well as Plaintiff's Motion for Summary

Judgment (doc. 71; filed subsequent to the Magistrate Judge's Recommendation), but concludes that these filings do not warrant rejection or modification of the Magistrate Judge's findings.

Accordingly, the Motions for Summary Judgment filed by Defendants Gene Pope, Lt. Rodney Whitehead and Linda Faulkner are hereby **GRANTED**. Plaintiff's Motion for Summary Judgment against those same defendants is hereby **DENIED**.

SO ORDERED, this 5th day of January, 2006.

/s/ Duross Fitzpatrick  
DUROSS FITZPATRICK, JUDGE  
UNITED STATES DISTRICT COURT

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